

**MINUTES OF MEETING  
LAKE POWELL RESIDENTIAL GOLF  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Lake Powell Residential Golf Community Development District held a Public Hearing and Regular Meeting on August 5, 2024 at 2:00 p.m. (Central Time), at First Baptist Church - Sunnyside, 21321 Panama City Beach Pkwy, Panama City Beach, FL 32413.

**Present:**

David Holt	Chair
David Dean	Vice Chair
Jerry Robinson	Assistant Secretary
Thomas Balduf	Assistant Secretary

**Also present:**

Cindy Cerbone	District Manager
Mike Burke	District Counsel
Robert Carroll	District Engineer
Bethany Womack	Ecologist/District Operations Manager
Courtney Bolla	POA Community Association Manager
Chris Brown	Resident/Architectural Review Board (ARB)
Reese Bricken	Resident
Ken Black	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 4:01 p.m. As the start of the meeting was delayed, notices of the start time were posted on the meeting room door and on the CDD website.

Supervisors Holt, Dean, Robinson and Balduf were present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments**

Ms. Cerbone noted the public comments protocols.

Resident and ARB Committee Liaison Chris Brown asked for data from the radar signs. He wants to have discussions about speeding and developing natural walking trails on CDD property. He proposed the CDD and POA Boards schedule a workshop to discuss the land swap.

To capture all public comments efficiently, Ms. Cerbone suggested discussing requests under the respective Sixth and Seventh Orders of Business.

Resident Reese Bricken voiced concerns and complaints about speeding wave runners, noise levels and damaged areas from the bridge onto Wild Heron Way. He proposed installing a buoy or a pole citing a speed limit. Ms. Cerbone stated that the CDD has no jurisdiction over Lake Powell. Ms. Womack reviewed protocols that involve petitioning the County to establish a no wake zone and the Coast Guard issuing permits to install markers.

Discussion ensued regarding the CDD, POA, St. Joe and surrounding boat docks collectively petitioning the County and confirming if markers are missing and need to be replaced.

**On MOTION by Mr. Dean and seconded by Mr. Robinson, with all in favor, authorizing District Staff to petition the proper authorities to replace missing signs or, if none existed, petition the County to establish no wake zones, was approved.**

**THIRD ORDER OF BUSINESS**

**Update: Gatehouse Report**

The Gatehouse Report was included for informational purposes.

**FOURTH ORDER OF BUSINESS**

**District Engineer: Discussion/ Consideration /Update**

▪ **Discussion: Widening Lanes and Adding a Lane at the Gatehouse**

**This item was an addition to the agenda.**

Mr. Carroll distributed photos of the asphalt conditions and mock ups to widen the lanes on both sides of the road and to add a lane to resolve the traffic jam at the gatehouse. If approved, this will cost about \$20,000 to \$30,000.

Discussion ensued regarding the next steps, whether to proceed with the project or combine the project with the roadway resurfacing projects from 98 to the gatehouse and the bridge to the gatehouse, whether to commence the project after the new POA Post Orders for an additional temporary gatehouse guard expires and verifying CDD and St. Joe property lines and road maintenance responsibilities to include in the Request for Proposals (RFP).

Ms. Cerbone stated that, if the RFP process is approved, the RFP responses can be presented at the October meeting. Mr. Dean voiced concern about the CDD not receiving multiple bids. The Board agreed to proceed with the RFP and to add language in the Project Manual extending the contractor’s quotes by 90 days, as the decision to proceed with the project is not predicated on hearing back from St. Joe on the contribution amount.

Discussion ensued regarding having the RFP consist of just two options.

**On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, authorizing Staff to prepare and advertise the RFP package for the roadway work at the gatehouse and road resurfacing from the gatehouse to 98, using the same evaluation criteria as used in the previous RFP for road resurfacing, was approved.**

**A. Discussion: Visual Inspection Report on Stormwater Pipes**

Mr. Carroll stated that he expects the stormwater pipe inspection to be completed next week. He will email the Report within two weeks.

**B. Consideration of Bridge Repair Proposals**

Mr. Carroll expects to receive proposals from the contractor tomorrow. He will email them to Ms. Cerbone to distribute.

**C. Bridge Inspection Report**

The Report was included for informational purposes.

Discussion ensued regarding the Florida Department of Transportation (FDOT) Report reflecting 500 as the average daily bridge traffic and zero for trucks in 2022 and the inspections occurring every two years.

The item will be removed from future agendas.

**FIFTH ORDER OF BUSINESS**

**District Counsel:  
Consideration/Update**

**Discussion/**

**A. Discussion with Joe Brown Regarding Bridge and Cost Share**

Mr. Burke had no updates about his prior discussions with Mr. Brown. He asked permission to suggest to St. Joe to contribute to the roadway project discussed today, based on the unit price, instead of waiting on the POA to respond to St. Joe about the bridge. Mr. Holt

agreed and asked him to ask St. Joe about referring contractors and executing a maintenance agreement for the bridge, as they will be exclusively using the bridge to construct the spa, under the “East Lake Powell” project.

Mr. Brown asked about the monitoring program listed in the Bridge Inspection Report.

Ms. Cerbone polled the Board; the consensus was to proceed with the agenda.

Regarding the status of the letter to the homeowner to disconnect the driveway and culvert connecting to CDD roads, Mr. Burke stated that he will send the letter soon. He suggested waiting for the homeowner’s response. Mr. Holt suggested seeing if the homeowner can correct the issues rather than having them disconnect from the CDD roads, since Wild Heron Way will be conveyed to the County in six months.

This item will be placed on the next agenda.

**SIXTH ORDER OF BUSINESS**

<b>District</b>	<b>Ecologist:</b>	<b>Discussion/</b>
<b>Consideration/</b>	<b>Update</b>	

**A. Discussion: Conservation Easement Swap – Survey & Legal Status**

Ms. Cerbone reminded the Board of the earlier request for the CDD and POA to schedule a workshop to discuss the potential land swap and developing walking trails.

Ms. Womack stated that she is meeting with the surveyor to finalize the survey and legal description. She referred to the map and asked if the conservation and easement areas and areas of what the CDD would obtain would change. She noted that the Florida Department of Environmental Protection (FDEP) is waiting on the surveys and supporting documents. Mr. Dean, Mr. Holt and Mr. Brown replied no. Ms. Cerbone asked Ms. Womack to email all the related documents to her. Ms. Womack will send the map to Ms. Cerbone to distribute to the Board and the POA. Regarding Mr. Holt’s request for the POA to e-blast the map to residents, Ms. Womack stated that she will prepare a “user friendly” map, upon receipt of the key map from the surveyor.

Ms. Womack reported the following:

- Lake Doctors, Inc. completed the Third Quarterly Inspection Report. All the ponds looked good with the exception of deferring treatment of one pond with additional growth, as it is expected to die in winter. There are a lot of lily rows in the ponds, which are beneficial in numerous ways. Despite resident complaints, she does not recommend removing them.

Ms. Womack responded to questions about aerators. She stated that one was installed in the pond on Blue Lake Trail; she must contact the power company about connecting power, as they want their Engineer's to inspect them before they install the meters, despite the County's green sticker verifying inspection of the equipment. She will also need to confirm with Lake Doctors if the one in the Sawgrass pond is waiting for a part to complete necessary repairs.

➤ The FDEP sent warning letters to the homeowner at 1501 Sweetbay Trail. The FDEP is working with the homeowner on the wetland impact that occurred on the property. She asked if the Board wants to issue a similar warning letter about clearing grass and natural vegetated areas in the CDD right-of-way (ROW).

Discussion ensued regarding a suggestion to send letters to all property owners advising them to have the ARB review yard projects before starting them to avoid similar incidents and potential fines. It was noted that the CDD can send a letter but does not have rules in place to enforce fining for any violations.

The Board agreed to hear Ms. Courtney Bolla's comments.

Ms. Bolla stated that the POA will need to pursue the homeowner to have them repair the cut electrical wire powering the street lights under the bridge, subject to the direction the FDEP gives the homeowner regarding mediation; the neighboring lot was also impacted with drainage issues.

Ms. Womack presented a proposal from New Leaf Service to cut down and remove a dead pine tree behind the tennis courts that was deemed a safety concern.

**On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the New Leaf Tree Service Proposal to cut down and dispose of a tall dead pine tree behind the tennis courts, in a not-to-exceed amount of \$1,250, was approved.**

Ms. Cerbone stated Ms. Womack's items were not on the agenda because delivery of the agenda was scheduled for Friday, not Saturday, due to an impending storm.

**B. Update: Hog Program**

Mr. Holt stated that the lessor cost cameras are not working as expected; he is purchasing better, more expensive cameras.

This item will be removed from future agendas.

Ms. Womack stated that she toured the neighborhood last week and requested proposals for pipe repair work in the Sweet Bay Pond. She also identified several holes in the pavement outside and inside the gate, which should be included in the Wild Heron Way roadway project.

**On MOTION by Mr. Balduf and seconded by Mr. Holt, with all in favor, proceeding with the Sweet Bay Pond pipe repair project, in a not-to-exceed amount of \$10,000, was approved.**

## SEVENTH ORDER OF BUSINESS

## Discussion Items

### A. Roundabout Modification for New POA Irrigation System

Mr. Holt suggested installing hardscape in the roundabout once the POA installs the new irrigation system to possibly prevent future damage to the curb. Due to ongoing construction in the area, installing cement was suggested. This item will remain on the agenda.

### B. Potholes at and Outside of Gate on CDD Roads

Ms. Womack stated that the contractor repairing the potholes on Marsh Point Lane thought the potholes are due to a broken irrigation head. Mr. Holt recalled that the water line was cut off when the pond irrigation was cut off years ago. Mr. Robinson opined that the CDD roads are in good condition compared to the POA roads.

This item will be removed from future agendas.

### C. BrightView Landscape Contract Compliance Report

In response to Mr. Dean's observations about moving the sod in the CDD ROW, Ms. Comella stated she addressed this with BrightView; BrightView raised the blades from 2.5" to 3".

Ms. Cerbone asked for direction regarding earlier public comments requesting future discussions about developing natural walking trails on CDD property and speeding. Mr. Burke suggested placing discussion of developing walking trails on the agenda, once the land swap is finalized. Ms. Cerbone will create a new "Other Discussion Items" agenda category, comprised of bullet points pertaining to the hog program, walking trails, etc.

Discussion ensued about data from the radar signs, effectiveness of the signs, installing two signs on each side of the circle to the Clubhouse and the Sheriff enforcing speeding laws.

This will be included as a bullet point under "Other Discussion Items" on the next agenda.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Draft Post Orders**

Ms. Cerbone asked if there were any comments to the Draft Post Orders. Mr. Dean voiced concerns about the increase in work load and possible costs. Ms. Cerbone stated that the POA’s new Security Plan might offset those costs.

Mr. Burke pointed out Section 5 and suggested adding new language and a map to provide to those trying to access the CDD showing where the public roads are located and advising them to avoid private areas.

Discussion ensued regarding the protocol for Security being to call 911 about suspicious persons entering the CDD.

**On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, the Draft Post Orders, as amended, to include Mr. Burke’s language and subject to Mr. Black’s review, were approved.**

Ms. Cerbone recalled the POA’s request at the last meeting and asked if the Board is considering adding an additional temporary gatehouse guard during transition to the new security system, as the Security contract is with the CDD.

**On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, funding the additional security expense to help the POA with security updates at the guardhouse, at Tri-Corp’s standard contractual rate, spanning 60 days, was approved.**

**NINTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2024/2025 Budget**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2024-08, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date**

Ms. Cerbone stated that the proposed Fiscal Year 2025 budget, is the same as the version presented at the last meeting. She highlighted the proposed Fiscal Year 2025 budget increases,

decreases and adjustments, compared to the Fiscal Year 2024 budget. She recalled decisions to reduce the Fiscal Year 2025 Operations & Maintenance (O&M) assessments from \$1 million to \$665,000 and use reserve funds to offset the roadway resurfacing costs and not to budget cost-share expenses with the POA on any of their existing or to be existing amenities. Ms. Cerbone reviewed the Proposed Assessment Table on Page 10.

**On MOTION by Mr. Robinson and seconded by Mr. Holt, with all in favor, the Public Hearing was opened.**

A member of the audience discussed a building renovation project and asked the Board to consider having the CDD contribute \$50,000 +/- and they would then be willing to work out a lease deal for the CDD to hold meetings in the building.

Ms. Cerbone stated that this is not a budgeted expense; however, later in the Fiscal Year, she can forecast the remainder of the Fiscal Year and advise of reserve funds that could potentially be used for this type of expense.

**On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, the Public Hearing was closed.**

**On MOTION by Mr. Robinson and seconded by Mr. Holt, with all in favor, Resolution 2024-08, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**



**On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, Resolution 2024-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2024-06. She pointed out the proposed meeting dates set on the first Wednesday of the month and option to schedule varied meeting times, subject to complying to publishing deadlines. Residents unable to attend CDD meetings are encouraged to email the Board or the District Manager.

Ms. Cerbone asked about setting up microphones and speakers, as the Boat House is not conducive to conducting meetings in inclement weather, and the possibility of having to recess and reconvene the meeting on another date or schedule a Special Meeting at an indoor location. Mr. Dean thinks they will need to hold meetings at the Boat House for a couple of months.

Recalling the POA’s prior request for hold a budget workshop, Ms. Cerbone suggested discussing it at the March 5, 2025 meeting.

The following changes will be made to the Fiscal Year 2025 Meeting Schedule:

LOCATION: Change “TBD” to “Boat House, 1110 Prospect Promenade, Panama City Beach, Florida 32413.

TIME: Add “2:00 PM”

Ms. Cerbone stated that there is no meeting scheduled for September 2024 but one will be scheduled, if needed.

**On MOTION by Mr. Holt and seconded by Mr. Dean, with all in favor, Resolution 2024-06, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025, as amended, subject to Ms. Cerbone confirming availability of the Boat House, and Providing for an Effective Date, was adopted.**

**TWELFTH ORDER OF BUSINESS**

**Presentation of Audited Financial Statements for Fiscal Year Ended September 30, 2023, Prepared by Carr, Riggs & Ingram, LLC**

Ms. Cerbone noted the pertinent information in the Audited Financial Statements for the Fiscal Year Ended September 30, 2023. It was a clean audit; there were no findings, recommendations, deficiencies on internal control or instances of noncompliance.

**THIRTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-10, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023**

**On MOTION by Mr. Dean and seconded by Mr. Robinson, with all in favor, Resolution 2024-10, Hereby Accepting the Audited Financial Statements for the Fiscal Year Ended September 30, 2023, was adopted.**

**FOURTEENTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 5; Term Expires November 2026**

Mr. Robinson nominated Mr. Ken Black to fill Seat 5. No other nominations were made.

Mr. Holt stated that he saw no reason not to support Mr. Black's nomination, despite originally nominating Mr. Levick, as he deemed both candidates capable. He voiced his opinion that each Board Member should serve as the District Chair.

Mr. Dean stated that he will dissent on the appointment because the decision in the last two meetings was to table this until after the November 2024 General Election.

**On MOTION by Mr. Robinson and seconded by Mr. Balduf, with Mr. Robinson, Mr. Balduf and Mr. Holt in favor and Mr. Dean dissenting, the appointment of Mr. Ken Black to Seat 5, was approved. [Moton passed 3-1]**

- **Administration of Oath of Office (the following will also be provided in a separate package)**

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Ken Black. She will review the following with Mr. Black outside of the meeting.

- A. **Required Ethics Training and Disclosure Filing**
  - **Sample Form 1 2023/Instructions**
- B. **Membership, Obligation and Responsibilities**
- C. **Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. **Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

**FIFTEENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-07, Electing and Removing Officers of the District and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2024-07. The following nominations were made:

David Holt	Chair
David Dean	Vice Chair
Tom Balduf	Assistant Secretary
Jerry Robinson	Assistant Secretary
Ken Black	Assistant Secretary

No other nominations were made.

The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell	Secretary
Cindy Cerbone	Assistant Secretary
Jamie Sanchez	Assistant Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

**On MOTION by Mr. Dean and seconded by Mr. Holt, with all in favor, Resolution 2024-07, Electing, as nominated, and Removing Officers of the District, and Providing for an Effective Date, was adopted.**

**SIXTEENTH ORDER OF BUSINESS**

**Consideration of Goals and Objectives Reporting [HB7013 - Special Districts**

**Performance Measures and Standards Reporting]**

Ms. Cerbone highlighted portions of the Memorandum outlining the new requirement for special districts to establish and adopt goals and objectives each year, by October 1, and develop performance measures and standards to assess the achievement of the goals and objectives and publish an annual report on its website by the end of the year, initially by December 2025, detailing the goals and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved. Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability are the key categories of focus for Fiscal Year 2025.

**On MOTION by Mr. Robinson and seconded by Mr. Dean, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.**

**SEVENTEENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2024**

Discussion ensued regarding the upcoming Debt Service Payment and possibility of refinancing the bond debt in March or April 2025, since the Federal Reserve is lowering interest rates.

**On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, the Unaudited Financial Statements as of June 30, 2024, were accepted.**

**EIGHTEENTH ORDER OF BUSINESS**

**Approval of June 3, 2024 Regular Meeting Minutes**

**On MOTION by Mr. Dean and seconded by Mr. Balduf, with all in favor, the June 3, 2024 Regular Meeting Minutes, as presented, were approved.**

**NINETEENTH ORDER OF BUSINESS**

**Staff Reports**

- A. Ecologist/Operations: Cypress Environmental of Bay County, LLC**

Ms. Womack stated that the installation of new signage in the conservation easement should be completed by the end of the week.

**B. District Counsel: Burke Blue**

**C. District Engineer: McNeil Carroll Engineering, Inc.**

There were no reports from District Counsel or the District Engineer.

- **Discussion: Lake Expansion at/near Guardhouse**

This item will be removed from future agendas.

**D. District Manager: Wrathell, Hunt and Associates, LLC**

- **NEXT MEETING DATE: TBD**

- **QUORUM CHECK**

With no meeting scheduled for September 2024, unless one is needed, the next scheduled meeting is October 2, 2024 at 2:00 p.m. Central Time, at the Boat House, 1110 Prospect Promenade, Panama City Beach, Florida 32413.

**TWENTIETH ORDER OF BUSINESS**

**Board Member Comments**

Mr. Holt advised Ms. Bolla of the hog program, which involves splitting costs 50/50 between the CDD and POA.

Mr. Dean thanked Ms. Cerbone for facilitating the meeting on such short notice, in Ms. Sanchez’s absence, and District Staffs’ flexibility in changing the meeting time.

**TWENTY-FIRST ORDER OF BUSINESS**

**Public Comment**

No member of the public spoke.


**TWENTY-SECOND ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Dean and seconded by Mr. Robinson, with all in favor, the meeting adjourned at 6:46 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
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Secretary/Assistant Secretary

 AS PI  
CHAIR  
\_\_\_\_\_  
Chair/Vice Chair